

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JOHN L. RUSH, et al.,)	
)	
Plaintiffs,)	Civil Action No. 1:21-cv-316
)	
v.)	District Judge Schwab
)	Magistrate Judge Lenihan
JOHN E. WETZEL, et al.,)	
)	ECF Nos. 45 & 91
Defendants.)	

MEMORANDUM ORDER

This civil action was commenced on November 15, 2021, when Plaintiff John L. Rush filed a Motion for Leave to Proceed in Forma Pauperis. ECF No. 1. On January 13, 2022, the Motion was denied as moot as to Plaintiff Rush and all other plaintiffs who likewise moved for in forma pauperis status when the entire filing fee was paid by Plaintiff Mitchell Simpson on January 11, 2022. ECF No. 43. The Complaint was docketed by the Clerk of Court on January 11, 2022. ECF No. 44. The case was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. §636(b)(1), and Local Rules of Court 72.C and 72.D.

The Magistrate Judge's Report and Recommendation (ECF No. 91), filed on April 28, 2022, recommended that Plaintiffs' Motion for Injunction (ECF No. 45) be denied.

The parties were informed that in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Rule 72.D.2 of the Local Rules of Court, that they had fourteen (14) days to file any objections, and that unregistered ECF users were given an additional three (3) days pursuant to Federal Rule of Civil Procedure 6(d). Objections for registered ECF Users were

due on May 12, 2022. Objections for unregistered ECF Users were due by May 16, 2022. ECF No. 91. Plaintiffs filed their objections on May 12, 2022. ECF No. 95.

After review of the pleadings, documents in the case, together with the Report and Recommendation and Objections, the following Order is entered:

AND NOW, this 2nd day of March 2023,

IT IS HEREBY ORDERED that the Motion for Preliminary Injunction **IS DENIED**.

IT IS FURTHER ORDERED that the Report and Recommendation (ECF No. 91) of Magistrate Judge Lenihan, dated April 28, 2022, is adopted as the Opinion of the Court.

BY THE COURT

s/ Arthur J. Schwab

Arthur J. Schwab
United States District Judge